

SENATOR FOWLER: No. LB 417, as it was finally passed, I think there were four critical components. One was a maximum security unit to be designed, size of which I think was 250 inmates. Two minimum-medium security facilities, one in Lincoln and one in Omaha, the Lincoln to be 225 or 250 inmates, and the Omaha to be around 200 inmates. There was a restructuring of the Department of Corrections in there and it called for the development of work-release centers, or what was referred to as community corrections. I guess what the Appropriations Committee has allowed is more in line with the specific intent of 417 than what the Department of Corrections is asking for. The size of the institutions the Department of Corrections is asking for, in the case of the maximum security, is more than twice the size of what the Legislature intended in LB 417. I think a good deal of the argument and discussion on the legislative floor related to really how large a correctional institution do we want, as well as how many.

SENATOR MILLS: Senator, then you are, through this amendment or through this change in the bill which I understand how it came about, you are then saying we're going to change, or they have said we're going to change from 417. There is then a difference of philosophy between the time 1975, in 417, and today. There is a difference in philosophy of what they understand 417 to say and what other people thought it to say.

SENATOR FOWLER: No. I think the language in 417 is very clear as to what we....

SENATOR MILLS: Then you say then they're expanding what the size was.

SENATOR FOWLER: They are expanding the size of the units, also 417 said it would be a maximum security unit. The plans that they've drawn is a maximum and medium security unit. That is they're taking medium custody people and placing them in the same institution as the maximum security.

SENATOR MILLS: Then they're violating 417, Senator Fowler, is that what you're saying? Their wishes would be to violate 417.

SENATOR FOWLER: I'd say the plans that they have brought back to this Legislature are not my understanding of what the Legislature requested in LB 417. I don't know if I'd call that violation of law or not.

SENATOR MILLS: One more, Senator Fowler. I don't know the exact number. I know that you worked with it a lot and have done a lot of work in this line. I understand there is a tremendous percent of those inmates who are in the Penitentiary or Reformatory because of a chemical dependency problem. Now do I hear that we are going to wait awhile before we do something here in Lincoln?

SENATOR FOWLER: Yes, there are a number of people in the institutions with chemical dependency problems. No, it is not our intent to wait. That is why we have the amendment to designate a couple of units, one in Lincoln and one in Omaha, to be for chemical dependency.

SENATOR MILLS: Then, Senator Fowler, if I am finally getting down to it, the difference in the Governor's recommendation and what the Appropriations Committee is now recommending is the refurbishing in the Penitentiary itself. Is there anything else besides that?